

ASSOCIATED FISHERIES OF MAINE

PO Box 287, South Berwick, ME 03908

November 18, 2019

Dr. John Quinn, Chair
New England Fishery Management Council

VIA ELECTRONIC MAIL

Dear John:

The Associated Fisheries of Maine writes to convey our concern with the process used by both the PDT and the SSC to set ABC specifications for the groundfish fishery.

The Amendment 16 ABC control rule states (in part):

- a) *ABC should be determined as the catch associated with 75% Fmsy.*
- b) *If fishing at 75% Fmsy does not achieve the mandated rebuilding requirements for overfished stocks, ABC should be determined as the fishing mortality that meets rebuilding requirements (Frebuild).*

For every stock where there is an accepted model, the PDT offered two options to the SSC:

- 1) the 75% Fmsy projections and
- 2) an option to hold the ABC constant.

Inexplicably, the PDT alternatives to hold the ABC constant also propose using the lowest ABC value generated by the projections, which in all cases was the 2nd or 3rd year projection, even though it is well understood that the further out in time the projections extend, the less reliable or the more uncertain those projections become.

In the case of American plaice, both haddock stocks, and pollock, the PDT offered, and the SSC accepted a suggestion to hold the lowest value of the ABC constant. These stocks are rebuilt, and no overfishing is occurring, and therefore should be subject to the control rule as described in part (a) above, and not the constant ABC calculation.

The Council's Operations Handbook provides guidance on scenarios when the Council could remand a decision back to the SSC:

The Council may remand back to its Scientific and Statistical Committee the SSC's recommendations based on the following criteria: (a) failure of the committee to follow the terms of reference provided to it by the Council; (b) an error, in fact or omission, in the materials provided to the committee; (c) an error in fact in the calculations, if any, undertaken by the Committee in developing an ABC recommendation; and (d) failure of the committee to follow its standard operating procedures.

We request that the Council remand the ABC recommendations for American plaice, both haddock stocks, and pollock back to the SSC based on (b) of the remand guidance – the PDT’s error in recommending a constant ABC approach for these stocks in contradiction of the control rule and part (d) of the remand guidance - the SSC’s failure to follow the control rule.

Furthermore, we strongly urge the Council to develop transparent guidelines in the control rule for use of the constant ABC calculation, including misgivings about holding the least reliable projection constant (i.e. the projections associated with the 2nd or 3rd year).

As always, we appreciate your consideration of our views.

Sincerely,

M. Raymond

Maggie Raymond, Executive Director
Associated Fisheries of Maine